HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No.3352/2005

CORAM: Hon'ble Shri **S.R.Nayak**, Chief Justice &
Hon'ble Shri **D.R.Deshmukh**, J.

Petitioner : Mohanlal Rathore, S/o Goranath Rathore, Post Afried, Thana Saragaon, Distt. Janjgir-Champa (CG)

Versus

Respondents :
1. State of C.G. through Secretary, Department of Home, D.K.S. Bhawan, Raipur.
2. Superintendent of Police, Janjgir-Champa (CG)
3. Station House Officer, Saragaon, Distt. Janjgir-Champa.

Shri P. Diwakar, Sr. Counsel with Shri Kunal Das appears as Amicus Curiae
Shri V.V.S.Murthy, Dy. Advocate General for the State.

ORAL ORDER
(Passed on 20.2.2006)

The following oral order of the Court was passed by S.R.NAYAK, C.J.

The letter written by Mohanlal Rathore, S/o Goranath Rathore, resident of Afried coming under the territorial jurisdiction of Saragaon Police Station in the district of Janjgir-Champa dated 23.5.2005 has been treated as writ petition under Article 226 of the Constitution of India and notice has been ordered to the respondents. The petitioner is the father of one Anjani who was alleged to have been murdered by her in-laws because of her refusal to fulfill the demand of dowry. In the letter, it is alleged that though a crime was registered on 21.2.2005, the material witnesses are left out in the list of witnesses and even the marriage C.D. was also not recovered. On service of notice, the Investigating Officer Shri S.L.Salam has filed sworn affidavit on 5th September 2005. In para 2 of the affidavit, it

is stated that on 19.3.2005, the C.D. with regard to marriage was seized from Vasudev Rathore who is the brother-in-law of the deceased. In para 5 of the affidavit, it is stated that the Government Pleader has already made an application for adding the names of two main witnesses namely Ajay Kumar and Chandrashekhar and also a separate application for adding the name of Assistant Sub-Inspector Gayatri Sharma. Therefore, in view of all these development, we do not think that there is any necessity to take any further steps in the writ petition.

2. The W.P. is, accordingly disposed of. No costs.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Anjani